



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

SEP 24 2019

Christian Zimmerman, President
Pike Industries, Inc.
3 Eastfield Road
Belmont, NH 03220

Re: Follow-up Clean Air Act Reporting Requirement

Dear Mr. Zimmerman:

The United States Environmental Protection Agency ("EPA") is evaluating whether Pike Industries, Inc. and its subsidiaries and all other related entities that Pike Industries owns and/or operates ("Pike Industries") for facilities in Maine, is in compliance with the Clean Air Act ("CAA" or "the Act") and requirements promulgated under the Act. On July 21, 2016, EPA issued Reporting Requirement to Pike Industries. While we appreciate Pike's response to that inquiry, the purpose of this letter is to ask some additional questions.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

In particular, EPA is evaluating applicability to and compliance with the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines found at 40 C.F.R. Part 63, Subpart ZZZZ.

Reporting Requirement

Pike Industries is required to provide all the information outlined below within 60 days of the date it receives this letter. Provide the information requested for each sub-paragraph below for each internal combustion engine ("engine") that Pike Industries owns and/or operates in the State

of Maine. Where possible, provide responses in an electronic spreadsheet format (preferably Microsoft Excel).

- 1) The attached spreadsheet contains a list of engines identified in ME DEP's Air Emission Licenses. Fill in the empty columns on the spreadsheet. Be sure to add any engines used in Maine that are not on this list.
- 2) For each engine located in Maine, provide:
 - a. The location of each engine. Include the street address, town, and section of the facility in which the engine is located. Indicate how long the engine has been at the location. If the engine moves to different locations either at one address or multiple addresses, describe each location and indicate how long the engine remains at each location.
 - b. The purpose of each engine (i.e., what equipment does the engine power);
 - c. The maximum capacity (in MMBTU/hr and horsepower);
 - d. The fuel type;
 - e. The manufacturer, model number, and serial number; and
 - f. The month, day, and year the engine was manufactured.
- 3) For each engine located in Maine, indicate:
 - a. Whether or not the engine has an emissions control system, such as a catalytic oxidizer; if it does, indicate when it was installed;
 - b. Whether or not the engine has an open or closed crankcase ventilation system. If the engine has an open crankcase ventilation system, provide information on whether the engine is equipped with an open crankcase filtration emission control system (e.g., properly functioning "breather cap" or some other type of device); and
 - c. Whether or not the engine has a "Certificate of Conformity." If it does, provide copies of each certificate to EPA.
- 4) For all engines described in your response to Question 1 above, indicate whether you submitted to EPA and/or the Maine Department of Environmental Protection any of the following documents pursuant to 40 C.F.R. Part 63, Subpart ZZZZ. If you answer "yes" to any sub-paragraph below, provide copies of each document:
 - a. Initial notifications;
 - b. Notifications of intent to test;
 - c. Initial performance test reports or other initial compliance demonstrations;
 - d. Notifications of compliance status;
 - e. Percent load reports;
 - f. Site specific monitoring plans;
 - g. Performance evaluations of the continuous parameter monitoring systems (e.g., the temperature monitors measuring temperature at the inlet to the oxidation catalysts associated with the engines); and
 - h. Semiannual or annual compliance reports.

Be aware that if Pike Industries does not provide the information required in this Reporting Requirement in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

Steven Calder, Enforcement Officer
Enforcement and Compliance and Assurance Division
US EPA Region 1
Mail Code 04-2
5 Post Office Square Suite 100
Boston, Massachusetts, 02109-3912

If you have any questions regarding this Reporting Requirement, please contact Steven Calder at (617) 918-1744, or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,



Karen McGuire, Director
Enforcement and Compliance Assurance Division

By electronic cc: Justin Zdunczyk, Pike Industries
Eric Kennedy, ME DEP
Tracy Kelly, ME DEP

Enclosures